

**REMARKS**

This case is related to copending patent application serial number 10/061,635. In the Official Action (Paper Number 4), for that case, a copy of which is enclosed, Examiner objected to some claims and rejected others. Applicants cancelled the rejected claims in that application, without prejudice and put the objected claims in condition for allowance so that application can issue as a patent.

Applicants have elected to continue prosecuting the rejected claims in this continuation application. The following are Applicants remarks associated with the rejected claims. For clarity, Applicants show the amendments made to the previously rejected claims below.

**Rejection of Claim 1 under 35 U.S.C. 102(a)**

The Examiner rejected independent claim 1 and its dependent claims 2-4 and 8, which Examiner rejected under 35 U.S.C. 102(a) as being anticipated by Kamada, U.S. Patent No. 2002/0123336. Independent claim 1, as amended, recites Applicants' invention as transmitting an interactive screen associated with downloadable data; before download to the wireless device, the interactive screen associated with the application or data is sent to the user's wireless device. Note that Kamada only teaches the transmission of a screen associated with a server [page 6 sections 0083 and 0085]. In Kamada, once the user invokes the screen to log-in, the user has access to the server and consequently the applications on the server.

The Applicants' claimed invention, however, recites an interactive screen associated with data, such as an application, not a server. This distinction is not only not disclosed or taught by Kamada, but also provide at least one advantage over the Kamada disclosure. Because the interactive screen is associated with an application or data, the interactive screen may contain information that is application dependent. Therefore the server may present many interactive screens to one or multiple users with information each one tailored to an one application on the server.

In addition, Kamada doesn't teach the Applicant's claimed invention because Kamada discloses an application downloaded to a storage server after the user interacts with the interactive screen and not directly to the user's cellular phone [Kamada ABSTRACT]. The

Applicants' claimed invention, however, recites interacting with an interactive screen prior to the wireless device attempting to download data or an application to the wireless device NOT another storage server.

**Rejection of Dependent Claims 2-4 and 8 Under Section 102(a)**

The Examiner rejected dependent claims 2-4 and 8 as being anticipated by Kamada. Because Dependent claims 2-4 and 8 are patentable over Kamada for the same reasons stated above. Therefore, Applicants request that Examiner allow claims 2-4 and 8.

**Rejection of Independent Claims 9-11, 19-21, and 23 Under Section 102(a)**

Examiner rejected independent claims 9-11, 19-21, and 23 as being anticipated by Kamada. Independent Claims 9-11, 19-21, and 23, as amended, recite Applicants' invention including an interactive screen associated with the data or application. As argued above, Kamada does not teach the transmission of an interactive screen associated with data or an application and therefore, it does not anticipate Applicants' invention.

Therefore, Applicants submit that independent claims 9-11, 19-21, and 23 are patentable and request Examiner allow these claims.

**Rejection of Dependent Claims 12-18, 22, and 24-25 Under Section 102(a)**

The Examiner rejected dependent claims 12-18, 22, and 24-25 as being anticipated by Kamada. Dependent claims 12-18, 22, and 24-25 are patentable over Kamada for the same reasons that Claim 1 (above) is patentable. Therefore, Applicants request that Examiner allow claims 12-18, 22, and 24-25.

**Amendments made to rejected claims in copending application:**

1. A system for displaying an interactive screen on the graphic display of a wireless device communicating with network server prior to download of data to the wireless device, the system comprising:

one or more user-interactive wireless devices, each wireless device including a computer platform and a graphic display thereon, and each wireless device in selective communication to a wireless network; and

one or more network servers in selective communication to the wireless network, and each network server selectively in communication with the one or more wireless devices and selectively downloading applications and data to wireless devices thereto,

wherein, upon a wireless device attempting to download data from a network server across the wireless network, the system transmitting an interactive screen associated with the data to the computer platform of the wireless device across the wireless network prior to downloading the ~~requested~~ data to the wireless device, and the wireless device displaying the interactive screen on the graphic display thereof.

[9] 6. A system for displaying an interactive screen on the graphic display of a wireless device communicating with a network server prior to allowing the wireless device to access data and applications resident on the network server, the system comprising:

one or more user-interactive wireless devices, each wireless device including a computer platform and a graphic display thereon, and each wireless device in selective communication to a wireless network; and

one or more network servers in selective communication to the wireless network, and each network server selectively in communication with the one or more wireless devices and providing access to data and applications resident thereon to wireless devices,

wherein, upon a wireless device attempting to access data or applications on a network server across the wireless network, the system transmitting a interactive screen associated with the data or applications to the computer platform of the wireless device across the wireless network prior to granting the wireless device access to the application or data to the wireless device, and the wireless device displaying the interactive screen on the graphic display thereof.

[10] 7. A system for displaying a user-interactive screen across a wireless network, comprising:

a wireless communication means for selectively communicating to a wireless network, the wireless communication means being user-interactive and including a computer platform and a graphic display thereon; and

a download means for selectively downloading applications and data to the wireless communication means across the wireless network,

wherein, upon the wireless communication means attempting to download data from the download means across the wireless network, the system transmitting a interactive screen to the computer platform of the wireless communication means across the wireless network prior to downloading the ~~requested~~ data to the wireless communication means, and the wireless communication means displaying the interactive screen associated with the data on the graphic display thereof.

[11] 8. A method for displaying an interactive screen on the graphic display of a user-interactive wireless devices including a computer platform, the wireless device selectively communicating with a network server and downloading applications and data therefrom, the method comprising:

attempting to download data to the wireless device from the network server across the wireless network;

transmitting a interactive screen associated with the data to the computer platform of the wireless device across the wireless network prior to downloading the ~~requested~~ data to the wireless device; and

displaying the interactive screen associated with the data on the graphic display of the wireless device.

[19] 13. A method for displaying an interactive screen on the graphic display of a user-interactive wireless devices including a computer platform, the wireless device selectively communicating with a network server and downloading applications and data resident on the network server, the method comprising the steps of:

a download attempt step for attempting to download data to the wireless device from a network server across the wireless network;

an interactive screen transmission step for transmitting a interactive screen associated with the data to the computer platform of the wireless device across the wireless network prior to downloading the ~~requested~~ data to the wireless device; and

a interactive screen display step for displaying the interactive screen on the graphic display of the wireless device.

[20] 14. A method for displaying an interactive screen on the graphic display of a user-interactive wireless devices including a computer platform, the wireless device selectively communicating with a network server and accessing applications and data resident on the network server, the method comprising:

attempting to access from a wireless device applications and data resident on a network server across a wireless network;

transmitting a interactive screen associated with the applications or data to the computer platform of the wireless device across the wireless network prior to allowing the wireless device ~~the requested~~ access; and

displaying the interactive screen on the graphic display of the wireless device.

[21] 15. A wireless device including a computer platform and a graphic display thereon, comprising:

the wireless device in selective communication to one or more network servers across a wireless network, each network server selectively downloading data and applications to the wireless device, and upon the wireless device attempting to download data from an application download server across the wireless network, the computer platform of the wireless device receiving an interactive screen associated with the data transmitted across the wireless network, and the wireless device displaying the transmitted interactive screen on the graphic display thereof.

[23] 17. In a computer readable medium, a program that, when executed, directs a wireless device having a computer platform and a graphic display, the wireless device selectively downloading applications and data from a network server across a wireless network and performs the method comprising:

attempting to download data from a network server across the wireless network;

receiving a transmitted interactive screen associated with the data at the computer platform of the wireless device, the interactive screen in response to the data download attempt; and

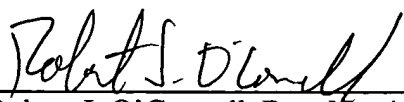
displaying the transmitted interactive screen on the graphic display of the wireless device.

## CONCLUSION

In light of the preliminary amendments contained herein, Applicants submit that the application formalities have been met, and that the application is in condition for allowance, for which early action is requested.

Respectfully submitted,

Dated: October 20, 2003

By:   
Robert J. O'Connell, Reg. No. 44,265  
Attorney for Applicants

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 651-4361  
Facsimile: (858) 658-2502